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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cefali, Eugenio
Serial No.: 08/962,421
Filing Date: 31 October 1997
Docket Number: 50454-56103USCIP3
Title: INTERMEDIATE RELEASE NICOTINIC ACID COMPOSITIONS FOR
TREATING HYPERLIPIDEMIA WHICH EXHIBIT AN IN VIVO STAIR-
STEPPED ABSORPTION CURVE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application are the following documents:

1. Response to the Office Action mailed December 30, 2005;
2. Declaration under 37 C.F.R. 132; and
3. Return Postcard.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

KOS PHARMACEUTICALS, INC.

Karen P. Bechtold
Karen P. Bechtold, Esq.
Registration No. 52,166
Attorney for Applicant

1 Cedar Brook Drive
Cranbury, NJ 08512
Tel.: (609) 495-0524
Fax.: (609) 495-0907

Date: 3/14/06

<p><u>CERTIFICATION UNDER 37 C.F.R. §1.10</u> I hereby certify that the attached papers are being deposited with the United States Postal service as: Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on <u>3/15/2006</u> and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p><u>ED9164289015 US</u> Express Mail Label Number</p> <p><u>T. Oscar Espinosa</u> T. Oscar Espinosa</p>
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